

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH**

CRM-M-33569 of 2017.

Decided on:-15.09.2017.

Sushil Kumar Jha.

.....Petitioner.

Versus

State of Haryana.

.....Respondent.

CORAM: *HON'BLE MR. JUSTICE HARI PAL VERMA.*

Present:- Mr. Ramender Chauhan, Advocate
for the petitioner.

Mr. Manish Bansal, DAG, Haryana
for the respondent-State.

HARI PAL VERMA, J.

Prayer in this petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in the FIR No.1119 dated 19.12.2016 under Sections 406, 420, 467, 468, 471 and 506 of the Indian Penal Code registered at Police Station Jhajjar, District Jhajjar.

The aforesaid FIR was registered at the behest of complainant Rajesh Kumar, wherein he has stated that his son Diwan Singh is 12th pass and Sunil son of Kewal Singh as well as Baljeet son of Balbir, residents of village Mandola are also 12th pass. Similarly, Amit son of Jagdish, resident of village Jhanjera Toda Loharu is also 12th pass. The young boys were aspiring for employment and, therefore, they had a conversation with Ravi Kumar

resident of village Surkhpur. Said Ravi Kumar arranged a meeting with Rahul son of Mukesh, resident of village Sataur, Tehsil Charkhi Dadri. Ravi Kumar and his brother Deepak along with Sachin gave them an assurance that they have good approach in the Railways Department and used to arrange jobs in Group C and D category of Railways Department after giving coaching. Further, they were informed that such coaching would cost Rs.4,25,000/- per person. The victims trusted the accused and deposited Rs.17 lakhs with Ravi Kumar.

Apart from that, on 30.10.2015, the complainant deposited Rs.49,000/- twice in account No.6163000400000031 in the name of petitioner Sushil Kumar Jha at Punjab National Bank. Again Rs.25,000/- were deposited in the same bank account. An amount of Rs.1,96,000/- was deposited on 17.11.2015 and on 18.11.2015 in Axis Bank account No.915010000034336 belonging to Bhanwar Dikshit. In this manner, all the four boys have paid Rs.20,19,000/- to the accused. However, on 24.12.2015, accused Ravi Kumar provided selection letters of Group-C of Ministry of Railways, Government of India and had taken the four boys to Lucknow for training. But all the four boys could not get appointment despite several visits. In this manner, Ravi Kumar, Deepak and Sachin, all were in collusion with each other and they also projected Bhanwar Dikshit, Sushil Kumar Jha (petitioner herein) and Neeraj Kumar Thakur as Railway officers and have conspired collectively. All the government papers and selection letters were found fake.

Learned counsel for the petitioner has stated that the petitioner was arrested on 12.07.2017 and as per the FIR, the main allegations are

against the other accused. The only allegation against the petitioner is that three persons have deposited Rs.1,25,000/- in the bank account of the petitioner, whereas no specific material has been recovered from the petitioner. The present FIR has been got registered by the complainant with malafide intention and just to harass and humiliate the petitioner.

On the other hand, learned State counsel has argued that the petitioner is a direct beneficiary and substantial money has come in his bank account. Moreover, son of the petitioner, who is also a co-accused in the case, is yet to be arrested. The petitioner along with other co-accused have collected Rs.20,19,000/- from the complainant and other victims on the pretext that they will provide them employment in Railways. The petitioner and other co-accused have created forged selection letters and a huge amount has been collected by them. An amount of Rs.1,25,000/- has gone in the bank account of the petitioner from the bank account of the complainant.

I have heard learned counsel for the parties.

The allegations against the petitioner and other co-accused are that they have cheated young, innocent and unemployed boys. The accused have not only received money from the victims in the name of employment, rather, they have committed forgery by creating fake selection letters of the Railways Department. Considering the seriousness of allegations against the petitioner coupled with the fact that son of the petitioner who is also an accused in the case and is yet to be arrested, this Court finds that he does not deserve the concession of regular bail.

Accordingly, the present petition for regular bail, being devoid of any merit, is dismissed.

The observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

September 15, 2017
Yag Dutt

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned:	Yes
Whether Reportable:	No